

House Bill 1247 (COMMITTEE SUBSTITUTE)

By: Representatives Reeves of the 99th, Powell of the 33rd, Tarvin of the 2nd, Horner of the 3rd, Donatucci of the 105th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 15 of the Official Code of Georgia Annotated, relating to
2 general provisions regarding courts, so as to prohibit courts and administrative officers from
3 deferring to agency interpretations of laws and regulations; to provide for construction; to
4 provide for a short title; to provide for related matters; to repeal conflicting laws; and for
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 This Act shall be known and may be cited as the "Georgia Bureaucratic Deference
9 Elimination Act."

10 **SECTION 2.**

11 Chapter 1 of Title 15 of the Official Code of Georgia Annotated, relating to general
12 provisions regarding courts, is amended by adding a new Code section to read as follows:

13 "15-1-24.

14 (a) When interpreting this state's Constitution, statutes, regulations, or other subregulatory
15 documents, a court, or an officer hearing an administrative action, shall not defer to a state

H. B. 1247 (SUB)

16 agency's determination or interpretation of such authorities, whether such determination
17 or interpretation is written or unwritten.
18 (b) This Code section shall not be construed to alter the standards of review of findings of
19 fact pursuant to Code Section 5-3-5."

20 **SECTION 3.**

21 All laws and parts of laws in conflict with this Act are repealed.